

MARK SHANNON WHEELER ;

AIS# 139044  
Plaintiff,

RECEIVED

V.   
BILL SEGREST et al,   
Defendant,

CASE# CIVIL ACTION 2:06-CV-274-MHT

SEP -6 A 9:14

(Motion to District Judge M.H. Thompson)  
Motion For ORDER of Contempt and ORDER For sanctions to  
be imposed upon defendant Segrest and/or Counsel therefor

Comes now the Plaintiff Mark Shannon Wheeler in this  
Very Honorable United States District Court For the Middle District  
of Alabama, and Prays this Honorable Court GRANT, this Motion for  
ORDER of Contempt and ORDER for sanctions to be imposed  
upon defendant Segrest and/or Counsel therefor. Grounds for  
demanded relief are as follows:

- 1). ON April 21st, 2006 in this Honorable Court, it was "ORDERED" by the  
Honorable Chief Magistrate Judge Charles S. Coody, that (on Page 1,  
Paragraph 2) the defendant (Bill Segrest et al) named in the Com-  
plaint undertake a review of the subject matter of the Complaint,  
on Page 2, #2, defendant Forsaid was ORDERED: A written report  
be filed with the Court containing the sworn statements of all persons  
having knowledge of the subject matter of the Complaint.  
Defendant Segrest et al, did not comply. (Court Document #4, 10f6, and 20f6).
- 2). In same Forsaid ORDER, relevant copies of records, all such  
Applicable administrative rules, regulation, or Guidelines in address-  
ing the claims of Plaintiff or defense of defendant shall be furnish-  
ed by defendant relevant to this Complaint. Defendant Segrest et al,  
has not complied.
- 3). On June 19th, 2006 it was ORDERED by this Court that defendants  
directives ORDERED by this Court (Forsaid April 21st, 2006) failed to comply.  
It was again ORDERED that on or before July 5th, 2006 the defendant  
shall file a Supplemental Special report which contains affidavits  
and other relevant, admissible evidentiary materials addressing  
each of the Plaintiff's claims for relief and their arguments to  
such claims. Defendant Segrest et al, violated again this Courts  
ORDER (document of Court #25).
- 4). In this Honorable Court on July 14th Plaintiff Wheeler was "denied" a motion  
to prevent defendant Segrest et al, any further extension of time (Court-  
document #32) Wheeler forseen delaying tactics to prevent due Process by  
defendant. Plaintiff Wheeler was Denied also by this Court an  
ORDER for Contempt upon defendants (Court doc. No. 30), on the 14th  
day of July 2006 also, even though defendants were in Contempt  
of Forsaid previous ORDERS of this Honorable Court.
- 5). ON the 25th day of August 2006 Plaintiff Wheeler's motion for Contempt  
(Court Doc. No. 38) was also DENIED even though defendant HAD  
NOT Complied with ORDER, FOR SWORN STATEMENTS (FORSaid)  
AFFIDAVITS, Plaintiff Wheeler seen a Circumventing of  
Justice for rules of this Court by defendant and Counsel  
therefor, which seeks to Abrogate the Black and white in the  
Federal Rules of Civil Procedure which IS "going to protect  
Now Plaintiff Wheeler, At least After Independent de Novo review.

6. In an ORDER of this Court on July 14th-2006, defendants Counsel was Cautioned in bold italics that Failure to Comply in accordance with Orders entered therein may result in the imposition of sanctions.
7. Document #44-1 in this Honorable Court Filed 25th day of August, 2006, "ORDER ON MOTION" States: Counsel is Cautioned that Failure to file in accordance with directives of that order will, without further notice from the Court, result in the impositions of sanctions against him (defendant).
8. Plaintiff Wheeler on page 1 Attached hereto "Motion to strike unsigned Affidavit of defendant Bill Segrest" is evidence of NON Compliance, which violates F.R.Civ.P. Rule 11(a).
9. Rule 11(b) F.R.Civ.P. Representations to Court (i) established the Criteria for Rules of Court violations; As a written motion, or filing, submitting, other papers, "to cause unnecessary delay by improper presentation, such as to harass, or to cause unnecessary delay".
10. Rule 11(c) F.R.Civ.P. Sanctions, state: that if for said Rule 11(b) has been violated, the Court may subject an appropriate sanction upon the attorneys, law firms, or parties that have violated subdivision (b), or are responsible for the violation.
11. All along defendant Bill Segrest has known his position and his responsibilities for the BOARDS STAFF (etal.). In Article Two, (Page 5) of the Parole Boards manual "Rescheduling of Consideration", it states: "5. The Executive Director or the Chief Counsel MAY refer any case to the review Committee to consider whether rescheduling of Consideration is appropriate, not withstanding any other provision in these operating procedures".
12. #7 on the same for said page 5 (Article Two) of the Parole manual states an 18 month minimum for rescheduling after being set off (denied) for 3-5 more years, still made Plaintiff Wheeler eligible for reimbursement as he had already been made late (by the Parole Boards Staff (etal) which defendant Segrest reigns over) for 22 months. Segrest was obligated to reimburse prisoners their lost time as it was the Staff's Director to make the Correction. Defendant Bill Segrest "knew" he was going to be sued and still did not comply with request by Plaintiff Wheeler. Plaintiff Wheeler does not sympathize with defendant's Counsel seeking to continue to have blatant violations continue at the Command of vindictive prosecutors driven by their own self will. As my brother Moses declared to Pharaoh and his cronies "let my people go", so shall the defendant Bill Segrest, etal comply, thus says the plaintiff. Amen
13. Rule 11(c) sanctions (1)(A)(2) Nature of sanction, F.R.Civ.P., Allows for the delay tactics of rules of this Honorable Court that: Defendant Bill Segrest, etal, and/or defendants Counsel have sanctions now imposed directing fines, PENALTIES upon him/them in the amount to pay this Honorable Court \$10,000.00 and also \$10,000.00 to be paid to Plaintiff Wheeler, as well as any other sanctions this Court deems appropriate. Plaintiff Wheeler Prays this Court for due relief for Equal Protection as guaranteed by the 14th Amend. U.S. Const. Done this 3rd day of September, 2006. Mark Shannon Wheeler Ais #139044  
I hereby swear these Attached to be true and correct: MARK Shannon Wheeler Plaintiff

## Certificate of Service

I Mark Shannon Wheeler, here by  
Certify that I have Placed a Copy of the  
Same in the Inmates Free "legal Mail" box Prepaid  
U.S. Postage 1st Class mail at Kilby Prison, and  
addressed A Copy of the same to be served upon  
the defendant et al, by their Counsel, at:

Ala. Bd. Pardons and Paroles

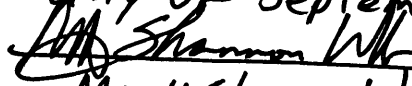
TO: Steven M. Sirmon Asst Atty Gen.

301 South Ripley Street

P.O. BOX 302405

Montgomery, AL. 36130

Done this the 3rd day of September, 2006.



Mark Shannon Wheeler Ais# 139044  
Plaintiff

Mark S. Wheeler

Ais# 139044-K-125

Kilby Corr. Fac.

P.O. Box 150

MT. Meigs, AL. 36057